

**MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF THE METROPOLITAN DISTRICT OF LIMERICK HELD ON MONDAY, 21<sup>ST</sup> JUNE, 2021 at 09:45 A.M. IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK.**

**PRESENT IN THE CHAIR:** Councillor Sarah Kiely, Cathaoirleach

**MEMBERS IN ATTENDANCE:**

Councillors Butler, Costelloe, Hartigan, Kilcoyne, Leddin, McSweeney, Murphy, Novak Ú Chonchúir, O'Donovan, O'Hanlon, O'Sullivan, Secas, Sheahan (M), Sheehan (C), Slattery and Talukder.

An apology for his inability to attend was received from Cllr J. Collins.

**OFFICIALS IN ATTENDANCE:**

Director, Service Operations (Mr. K. Lehane), Meetings Administrator (Mr. M. Leahy), A/Senior Executive Officer, Planning and Environmental Services (Mr. D. McGuigan), Senior Executive Engineer, Limerick Metropolitan District (Mr. A. Finn), Head of Property and Community Facilities (Ms. J. Leahy), Administrative Officer, Property Services (Ms. T. Knox), Senior Executive Planner, Planning and Environmental Services (Mr. D. O'Donoghue), Senior Executive Engineer, Planning and Environmental Services (Ms. T. Flanagan), Assistant Staff Officer, Corporate Services and Governance (Ms. S. Carroll).

**1. Adoption of Minutes**

Circulated, copy of draft Minutes of the Monthly Online Meeting of the Metropolitan District of Limerick held on 17<sup>th</sup> May, 2021.

Proposed by Councillor McSweeney;  
Seconded by Councillor Costelloe;  
And Resolved:

"That the draft Minutes, as circulated, be taken as read and adopted and signed".

**2. Disposal of Land**

(a) Circulated, report of the Senior Staff Officer, Housing Support Services dated 27<sup>th</sup> May, 2021 setting out proposals to dispose of Freehold Interest of premises consisting of a dwelling house situate at 214 O'Malley Park, Southill, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(b) Circulated, report of the Head of Property and Community Facilities dated 10th June, 2021 setting out proposals to dispose of 1 Grennan Villas, St. Joseph's Terrace, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(c) Circulated, report of the Head of Property and Community Facilities dated 10th June, 2021 setting out proposals to dispose of 1-4 Parnell Street, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(d) Circulated, report of the Head of Property and Community Facilities dated 21<sup>st</sup> May, 2021 setting out proposals for Exchange of Property at Main Street, Patrickswell, Co. Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(e) Circulated, report of the Head of Property and Community Facilities dated 10<sup>th</sup> June, 2021 setting out proposals to dispose of Freehold (Ground Rent) at 35 Thomas Street, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(f) Circulated, report of the Head of Property and Community Facilities dated 10<sup>th</sup> June, 2021 setting out proposals for disposal at Castletroy, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

### **3. Service Operations Directorate**

#### **Planning and Environmental Services**

##### **Taking in Charge of Estates – Declaration of Roads to be Public Roads**

Circulated, Report of the A/Senior Executive Officer, Planning and Environmental Services dated 11<sup>th</sup> June, 2021 seeking approval to the taking in charge of the estate at Car Na Ree, Bloodmill Road.

Proposed by Councillor Slattery;

Seconded by Councillor Secas;

And Resolved:

“That the estate at Car Na Ree, Bloodmill Road be taken in charge in accordance with Section 180 of the Planning and Development Act 2000 (as amended) and Section 11 of the Roads Act 1993”.

#### **4. Strategic Housing Development (SHD) Application to An Bord Pleanála at Punches Cross, Limerick**

The A/Senior Executive Officer, Planning and Environmental Services gave a presentation to the Members on the proposed Strategic Housing Development Application and briefed the Members on the content of the proposed application.

Following a detailed discussion of the application, the Members highlighted the following in

relation to the application:

- Scale of development-a key issue is the visual impact on the Architectural Conservation Area and the impact on natural light for existing adjoining properties;
- The number of storeys proposed is excessive, the proposed development is dominant and overbearing and the height and density is not fitting to the area. Members also noted that the Goatstown Strategic Housing Development on the Southside of Dublin had been recently refused by An Bord Pleanála for similar reasons;
- Insufficient car parking proposed-students attending the local Mary Immaculate College and elsewhere drive from outside Limerick and may use buses, bicycles etc. while in Limerick but concerns were raised as to where do they park their cars. This may cause problems for the residents of the local area as students may start parking their cars there;
- There is a limited number of tree stands shown on the landscape plan and the development needs to be well landscaped so that there isn't the possibility of a "skate park" being created to the front of the development;
- Concerns were raised as to what is the potential for a change of use of the development in the future. Could one of the conditions be that a change of use cannot be applied for in the future? Any Build To Rent proposal should be used for association with college students only and not for private rental;
- Was appropriate assessment screening adequately carried at the development location?
- Health and safety concerns were also raised because the development location was previously an old petrol station and quarry site, so had underground petrol tanks been decommissioned and the environmental impacts properly assessed?
- In relation to the student demand and concentration report, while there is a need for development to free up housing in the area, what will happen to the development in the future? Reference was made to the fact that Courtbrack Student Accommodation had subsequently changed use to a direct provision centre and was now currently derelict;
- Traffic concerns were also flagged in that with three lanes being proposed on the Rosbrien Road, that traffic from Edward Street will have difficulty pulling out onto Rosbrien Road. It was suggested that maybe a roundabout would work better or could entry only off Rosbrien Road be considered?
- Some residents had difficulty uploading their observations to the website;
- How would management of the development be organised to deal with any possible issues of anti-social behaviour inside and outside of the development, and would 24 hour security be provided?
- Have issues raised in relation to the previous application been addressed?
- Reference was made to other positive developments completed in the area recently, such as Templeville housing estate or the LIDL shop, and it was important for this site to be developed in sympathy to these developments.

The Elected Members requested that a summary of their comments would be circulated to them to ensure that their comments had been accurately captured, before they were submitted to An Bord Pleanála and the A/Senior Executive Officer, Planning and Environmental Services agreed to circulate this summary to the Members.

## QUESTIONS

### **5. Question submitted by Councillor S. Benson**

***I will ask at the next Meeting of the Metropolitan District of Limerick for a total figure for vacant site levies charged in January 2019, January 2020 and January 2021 in respect of the corresponding 12 month charge period and what, if any, measures have been taken to collect these charges and if Limerick City and County Council have placed any charges on these lands in accordance with the Urban Regeneration and Housing Act 2015.***

**REPLY:** In accordance with Urban Regeneration and Housing Act 2015 the total amount of Vacant Levies charged by LCCC for 2019 was €506,450 and 2020 was €582,050. There are currently three appeals with the Property Valuation Tribunal and in accordance with Urban Regeneration and Housing Act 2015 levy demands cannot be issued until the appeals are determined. The collection of the Vacant Site Levies is being transferred to the Debt Management Unit who will actively pursue the collection of the outstanding Vacant Site Levies. Under Section 19 of Urban Regeneration and Housing Act 2015 as the levies remain due and owing there is a charge on the sites concerned.

### **6. Question submitted by Councillor S. Benson**

***I will ask at the next Meeting of the Metropolitan District of Limerick, regarding entry registration number: VS-006-17 on the vacant site register;***

- a. Why after being placed on the vacant site on 19/06/18 was this site removed from the register and when?**
- b. Why was this site put back on the register on 14/09/20?**
- c. Why were lands that were contained in the 2 folios for this site (LK4043F and LK4761F) when it was first put on the vacant site register in June 18, that were transferred in August and October 2018, prior to valuation in October 2019, not placed on the vacant site register given that the majority of this land still remains vacant?**
- d. Did any elected representatives make representations on behalf of the owners of these sites?**

**REPLY:**

- a. The site was placed on the Vacant Site Register in June 2018. However, an administrative error occurred in relation to our process of issuing notices in respect of this site. Therefore, the site was removed from Vacant Site Register in February 2020 and the process was recommenced
- b. Limerick City and County Council recommenced the process of adding the site to the Vacant Site Register in February 2020. The site was entered on Limerick City and County Council's Vacant Site Register on 14th September, 2020.
- c. Limerick City and County Council received updated information in respect of ownership details of the site. Limerick City and County Council will open a Vacant Site case and carry out an inspection in relation to the lands that remain vacant.
- d. No

## 7. Question submitted by Councillor S. Benson

*I will ask at the next Meeting of the Metropolitan District of Limerick for a full list of sites by location/folio number, that were considered for entry onto the vacant site register and the reason why they were not included i.e. VS- 001-17 to VS-041-17 inclusive and any others that were given a VS code.*

**REPLY:** LCCC identified 19 potential vacant sites. The owners of each site were notified by way of letter that outlined the reasons the site was considered a vacant site under the legislation and the intention of LCCC to enter the site on the Vacant Site Register. In accordance with the Urban Regeneration & Housing Act 2015, property owners had the right to make a submission to the Council in writing within 28 days to appeal the decision to enter the site on the Vacant Site Register.

The following were the 19 sites identified as potential vacant sites of which 9 are currently on the Vacant Site Register:

REF. NUMBER:	SITE LOCATION:	FOLIO REF:	ON THE REGISTER:	REASON NOT ON THE REGISTER:
VS-001-17	Carrowkeel Castletroy (162911.692,157393.7 38)	LK2972F	NO	Decision to enter the site on VSR appealed An Bord Pleanala by the owner. An Bord Pleanala cancelled the entry.
VS-002-17	Clonmacken (155116.008,156998.4 51)	LK57425F	NO	Site Removed from the Register as construction has commenced in accordance with Planning Permission 17/470.
VS-015-17	Bishops Quay (52.662238, -8.631366)	LK69027F	NO	Submission Received from owner and decision taken not to enter the site on the

				register due to the contents of the submission
VS-018-17	Clonmacken (155174.919,157324.776)	LK34762F	NO	Submission Received from owner - Land used for Agricultural Purposes so not entered on VSR in accordance with the Act
VS-024-17	Annacotty (162902.128,156777.048)	LK63749F	NO	Submission Received – Decision taken not to enter on VSR due to Zoning
VS-026-17	Castletroy (162002.065,157140.786	LK66566F	NO	Submission Received – Land used for Agricultural purposes so not entered on the VSR in accordance with the Act
VS-027-17	Sarsfield Street	Folio NOT REGISTERED	NO	Site bought by University of Limerick and Vacant Site removed from the VSR
VS-031-17	Sailor's House O'Curry Street (157023.670,156507.302)	Folio NOT REGISTERED	NO	Submission Received – Site used for Cultural Events so not entered on VSR
VS-041-17	Clonmacken	LK67743F	NO	Submission

	(155083.452,156714.340)	LK67844F, LK19552F		Received – Site Removed as construction 43 Social Housing Scheme Commenced
VS-042-17	Speakers Corner, Carey's Road (157700.474,156349.875)	LK26096F	NO	Submission Received – A decision was made not to enter the site on the VSR based on the submission
VS-006-17	Newtown (163128.162,156875.600)	LK4043F LK4761F	YES	
VS-008-17	Clonmacken (154729.717,156861.661)	LK38178F LK52734F LK52731F LK52739F LK9831	YES	
VS-021-17	Annacotty (163692.862,157420.050)	LK2207	YES	
VS-022-17	Mungret Street (158078.288,157205.780)		YES	
VS-023-17	Annacotty (163932.397,157232.202)	LK59599F	YES	
VS-025-17	Newtown (162747.284,157036.640)	LK63939F	YES	
VS-028-17	Ellen Street (157915.911,157157.449)	Folio NOT REGISTERED	YES	
VS-032-17	Catherine Street (157479.282,156687.218)	LK55085F	YES	
VS-036-17	Gerald Griffin Street (158037.024,156957.358)	LK41562F	YES	

#### **8. Question submitted by Councillor C. Slattery**

***I will ask at the next Meeting of the Metropolitan District of Limerick, can the Council provide an update after my motion to service Glasgow Park and Flanker Court with a bus service was unanimously supported at a Metropolitan meeting. Can you advise if the Council has contacted the NTA and Bus Eireann with a view to get the service up and running.***

**REPLY:** Currently the 303-bus route services Roxboro Road, Carew Park and then on to the Kilmallock Road. At the moment this service turns left on the Kilmallock Road. This arrangement will remain in place until a turning facility is implemented further out the R512 Kilmallock Road.

The current service to the Georgian Village, which travels along the Childers Road and is only four services per day, will be reviewed by the NTA and Bus Eireann once the turning facility is implemented on the R512 Kilmallock Road.

#### **9. Question submitted by Councillor C. Slattery**

***I will ask at the next Meeting of the Metropolitan District of Limerick, can the Council explain why a speed survey is being redone on St. Patricks Road when the residents submitted a petition and a speed survey was done in 2020 to establish that a speed ramp was needed. Why has this ramp not been installed to date.***

Cllr Slattery confirmed that this Question was withdrawn.

#### **10. Question submitted by Councillor C. Slattery**

***I will ask at the next Meeting of the Metropolitan District of Limerick that an update is provided as to the reason for the delay in advertising the Part 8 in relation to the graveyard boundary wall for Mount St. Oliver Cemetery, and that the design of the boundary wall be circulated to the Elected Members as soon as possible and that the Part 8 be progressed as a matter of urgency.***

**REPLY:** Design work and internal consultation is progressing on the project to construct a new boundary wall and associated landscaping at Mount Saint Oliver Cemetery. The extent of the wall has been confirmed at c. 268 metres with a height of c 3.1 metres, which varies with the topography of the site. The design of the wall was circulated to Elected Members on the 18<sup>th</sup> June 2021 for information. The setting out of the wall is being finalised taking account of the Limerick City Bus Priority Measures proposed for the Kilmallock Road included in the Draft Limerick-Shannon Metropolitan Area Transport Strategy (LSMATS). Preparation of an Appropriate Assessment Screening Report and Environmental Impact Assessment Screening Report are underway and due to be completed on 25<sup>th</sup> June 2021. The Part 8 Submission will follow completion of the planning documentation and internal consultation.

#### **11. Question submitted by Councillor J. Costelloe**

***I will ask at the next Meeting of the Metropolitan District of Limerick if the Council has secured Government funding, or a commitment of Government funding, and if there are commitments existing for funding from the University of Limerick, Clare County Council or Waterways Ireland***

***to contribute to the development of the Black Bridge in Plassey and if any discussions have been had within the local Authority, and / or with any other bodies regarding the development.***

**REPLY:** The Black Bridge forms a logical crossing of the Shannon connecting existing/proposed Greenways on the Limerick and Clare sides of the river. Waterways Ireland will be leading the progression of the Greenway in County Clare and are shortly to set up and head a steering group consisting of representatives from Limerick City and County Council, Clare County Council, the Electricity Supply Board. Clearly, the securing of funding for the appropriate Shannon crossing point will be an important goal of this body.

Limerick City and County Council has raised with the National Transport Authority the potential of the Black Bridge serving as a logical Shannon Crossing point for linking Active Travel Modes/Green Routes across the river and will strive to include this connection as an inclusion in the draft Limerick Shannon Metropolitan Area Transport Strategy. Inclusion in LSMATS is critical to securing funding to deliver an appropriate river crossing point and Limerick City and County Council will seek to secure the Black Bridge as the appropriate location.

## **12. Question submitted by Councillor E. Secas**

***I will ask at the next Meeting of the Metropolitan District of Limerick how many applicants approved for a 4 bed property, who have been on the housing waiting list for more than ten years, have never been offered a property to-date, and, if any, a breakdown per each Electoral Area.***

**REPLY:**

Metropolitan District	20
Adare-Rathkeale	1
Newcastlewest	1
<b>Total</b>	<b>22</b>

## **13. Question submitted by Councillor E. O'Donovan**

***I will ask at the next Meeting of the Metropolitan District of Limerick for an update on the "BELONGING TO LIMERICK-Limerick City and County Integration Plan 2018-22" implementation and if an evaluation of this plan will be taking place.***

**REPLY:** The Limerick Integration Working Group (IWG) is an Interagency Group that oversees the implementation of the strategy. The membership include key stakeholders from the public and other sectors. Following the adoption of the strategy by the Council the IWG established five thematic working groups to progress the implementation of the strategy. The thematic groups are; 1) Language, education and employment, 2) Information, advice and direct support services, 3) Equality of access to public services, 4) Cultural awareness and anti-racism and 5) Active Community Participation.

The implementation approach is to focus on specific actions under the above themes but during the COVID 19 pandemic and the emerging needs that arose, particular attention was given to those considered high risk such as persons in direct provision, undocumented persons and those considered highly vulnerable.

The IWG meets on a quarterly basis and monitors the progress of the working groups and it is planned to complete an evaluation of the strategy in Q3/Q4 in 2022, which will also inform the development of the next strategy.

**14. Question submitted by Councillor E. O'Donovan**

*I will ask at the next Meeting of the Metropolitan District of Limerick for an update regarding planning compliance by the operator of Ballyneety Quarry.*

**REPLY:** Following inspection by Planning Enforcement, Warning Letters were issued to the owners of the site. A response has been received from the owners dated 31<sup>st</sup> May 2021. Planning Enforcement is currently assessing this response with a view to determining how to progress this case.

**NOTICES OF MOTION**

**15. Notice of Motion submitted by Councillor S. Hartigan (to be referred to the Economic Development, Enterprise and Planning Strategic Policy Committee)**

*I will move at the next Meeting of the Metropolitan District of Limerick that Limerick Metropolitan District Council require that Limerick City and County Council make the inclusion of swift bird nesting boxes on suitable sites, a planning condition as part of the planning application process.*

It was agreed to refer this Notice of Motion to the Economic Development, Enterprise and Planning Strategic Policy Committee.

**16. Notice of Motion submitted by Councillor E. Secas**

*I will move at the next Meeting that the Metropolitan District:*

*(a) write to TII to clarify what funding mechanism / scheme the latter have in place to address mitigation measures where residents in existing residential developments living near roads are exposed to existing high noise levels from transportation;*

*(b) calls on the DHPLG and the Department of Transport to develop national policy and guidance on the approach to addressing exposure to transportation noise, that will identify what an excessive noise level is and what acceptable road noise levels are for communities both in existing residential developments near roads with a view to establishing eligibility for mitigation measures, and when considering planning for new residential developments.*

The motion was proposed by Councillor Secas, seconded by Councillor Hartigan and agreed.

In proposing the motion, Councillor Secas referred to the lack of national guidelines for traffic noise levels and highlighted the importance of having national guidelines in place to protect the health and wellbeing of communities, especially those communities located close to major road networks and infrastructure.

**17. Notice of Motion submitted by Councillor S. Kiely (to be referred to the Climate Action, Biodiversity and Environment Strategic Policy Committee)**

*I will move at the next Meeting of the Metropolitan District of Limerick that we phase out the use of glyphosate / roundup, that we seek clarification on the extent of use of this chemical from any contractors who provide weed control / spraying to Limerick City and County Council and that of our own staff members also, given the possible health implications of its use on wildlife, domestic pets and people.*

It was agreed to refer this Notice of Motion to the Climate Action, Biodiversity and Environment Strategic Policy Committee.

**18. Notice of Motion submitted by Councillor S. Kiely**

*I will move at the next Meeting of the Metropolitan District of Limerick that we request a presentation and clarification from the Land Development Agency (LDA) regarding the Draft Spatial Framework Colbert Station Quarter, given the previous commitment of Quarter 1 of 2021 for the public engagement piece.*

The motion was proposed by Councillor Kiely, seconded by Councillor Butler and agreed.

Members supported the motion and stressed the importance on getting an update on proposals to keep the public fully informed. They requested that a presentation by the LDA would be made to Members as a matter of urgency.

**19. Notice of Motion submitted by Councillor O. O'Sullivan (to be referred to the Local Electoral Area Briefings)**

*I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council undertake an audit of speed zones along the county border with Co. Clare and open dialogue with Clare County Council to provide for better cohesion and safety in traffic movement between the two counties.*

It was agreed to refer this Notice of Motion to the Local Electoral Area Briefings.

**20. Correspondence**

Correspondence was noted and taken as read.

This concluded the Meeting.

Signed:

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**CATHAOIRLEACH**

Dated:

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